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THE LEGISLATIVE INFLUENCE OF UNENFRANCHISED WOMEN

By MARY R. BEARD,

Secretary, Legislative Committee, Women's Trade Union League of New York

The forces which actually mold and determine legislative policies in modern society are among the deepest mysteries of political science. Generally speaking, men have had the suffrage for nearly a century in the United States, and yet we still talk, and with reason, of "invisible government," "government by public opinion," "government by common counsel," wondering how much numerical majorities at the polls really count for after all. That the "invisible government" is forceful enough and keen enough to defeat again and again solemn judgments made at the polls is patent to all. Our talk about "bossism" and "big business in politics" is not mere gossip. Investigation after investigation has revealed the reality of the economic influences in modern legislation. Even the late Senator Platt, always reticent in the presence of inquisitors, admitted that the large sums which he received from the life insurance companies "might" have had some influence on legislation at Albany. Anti-lobby legislation is another piece of testimony to the effect that the "popular will" registered at the polls is not always the "will" registered at the state capitol. The growth of direct government is an evidence of the voters' suspicion that other influences than those of the ballot box operate on their "representatives."

If it is true that powerful economic interests, organized and always alert, have often written their will into law, through popular representatives and in spite of popular will, what can we say of the weight of beneficent influences, and particularly the influence of voteless women? If we cannot estimate accurately the weight of popular will expressed at the polls on legislation, or the weight of determined economic interests, how can we hope, with any degree of success, to gauge the intermittent efforts of women to advance or retard the progress of legislation in many fields? In the absence of data of a scientific character, we can only fall back upon certain

more or less popular conclusions about women's influence, some of which have arisen from vague opinion or uncertain feelings, only slightly tinged with information.

These conclusions rest in fact upon such readily available data as the following: the testimony of politicians and legislators as to the extent of women's influence which they have been compelled to recognize; individual examples of moral persuasion or statesmanlike wire-pulling on the part of women; organized efforts of women for the accomplishment of definite programs; lobbies in legislative chambers maintained by women; and coöperation with men in organized legislative effort.

Only the most striking instances can be given of the testimony of legislators as to the influence exercised upon them by women. The first example, and probably the most forceful one, that comes to mind is in connection with the extension of the privilege of voting to women. "When women want it they will get it" is admitted even by the most hardened anti. Men on platform committees, men at the primaries, men at the polls, men in their legislative halls and in judiciary committees would gladly escape the importunities of the persistent hordes of women who descend upon them to question them as they go into meeting places or polling booths about their intentions and question them again as they come forth about their acts with regard to the enfranchisement of women. Where women in large organized groups protest vigorously against the extension of the suffrage, their influence is undoubtedly felt in the legislatures and at the polls, and the cry of defense by the legislator and the voter becomes: "Women do not want to vote." In either case, the proposition in the popular mind is left to the decision of women. Suffrage, when submitted at the polls, is generally won by women through their activity in persuading voters to ballot in its favor. Without their constant hammering at every man whom they can reach, women know, and men know and admit, that the franchise would never be extended to women.

The clearest evidence of this fact lies in the pressure now being exerted for the Bristow-Mondell federal amendment to bring enfranchisement more speedily to all the women of the country. Driven by the women who are now included among their voting constituents, and sometimes boldly admitting it, senators and representatives from suffrage states are asking, seriously at last, for this legislation.

Driven by fear of the possibility of women soon forming part of their voting constituents, men from suffrage campaign states are espousing the same amendment or hesitating to oppose it hoping for its postponement; while in the South, where neither woman suffrage nor campaign states, in the strict sense of the term, exist, congressmen are beginning to find themselves in a dilemma owing to the growing support of the amendment among the women of their districts and the additional and more potent fact that the women voters of the North are questioning the attitude of the Democratic party toward the amendment—thus making suffrage a serious issue in view of the present and possible electoral vote to be determined by voting women in 1916. In national politics, then, the influence of women on legislation dealing with their own enfranchisement is plainly seen. It is this which led the Virginia member of the judiciary committee in the House of Representatives to exclaim in committee last spring: "I shall no longer be responsible for holding up this discussion in the House."

Further testimony to the part borne by women in their own enfranchisement is given by Colonel Roosevelt in his recent statement to leading women of the Progressive party in New York:

I believe that the surest way of bringing about a realization of one feature of the Progressive party program, that of securing the vote for women, is the constant development of what are already the social and industrial activities of women within the Progressive party.

The strongest argument in its favor, thus set forth by the men who incorporated the suffrage feature into the Progressive platform, is the influence of women on other legislation.

Representative government is, to some extent at least, a government by petition, legislators responding to personal appeals from individuals and organizations when they are powerful enough to arouse interest or alarm. National as well as state legislation has been effected in this way by women, if the testimony of men like Harvey W. Wiley is accepted. In his campaign for pure food laws, he stated repeatedly that his strongest support came from women's organizations. That support was not passive and moral, merely expressed to him privately, but these women inundated Congress with letters, telegrams, petitions pleading for the passage of the laws in question. These communications were presented to Congress by

their recipients who often urged, as their reason for supporting pure food laws, the appeals of women whose interest in food should not be ignored.

The Consumers' League of New York helped the National Food Committee to defeat a mischievous amendment to the Gould bill which requires that all package goods should be labeled as to the amount of their contents. The amendment would have nullified the provisions of the bill for the very cheap package goods, and thus exploited those least able to detect frauds. The amendment was defeated through the joint activity of these two associations and the wide interest shown by women.

Of course women are not the only senders of appeals to congressmen. They are wise enough to know that, in most cases, congressmen are more affected by men whose votes elect or defeat them. Women therefore prod busy men into letter-writing and the transmission of telegrams. They seek out influential men and see that their messages are sent. The congressman, therefore, who is anxious to represent the people, lays before his colleagues this combined evidence of what his "people" want. The existence of a certain degree of "government by petition" is disclosed by statements made to women lobbyists by legislators that they see "little popular interest" in a proposed kind of legislation because more appeals have come to them for "bird protection" or for the appointment of a commission to study the subject further than for immediate legislation upon it. This is submitted in evidence that what the people including women, want, they get unless the interests arrayed against it are too powerful.

In addition to the indirect influence of petitions, there are instances, that are interesting though rare, of the direct accomplishment of legislation by individual voteless women. Mrs. Albion Fellowes Bacon, of Indiana, practically single-handed, secured the first tenement house laws of value for Evansville and Indianapolis. She did this before the National Housing Association, of which she is now a director, was formed. The recent improvements in the Indiana housing legislation are due apparently to her continued leadership and to the public opinion which she has helped to create. In her case it was personal initiative and moral persuasion.

Another example of personal influence on legislation exerted by women is that of Frances Perkins of New York in her fight for

the Fifty-Four Hour bill for the women workers of her state. Unlike Mrs. Bacon, Miss Perkins represented a society—the Consumers League—which asked for this measure, and she was supported in her demand by the Women's Trade Union League and other organizations. The measure would have been defeated, however, as is widely known and acknowledged in New York, had it not been for the personal sagacity and watchfulness of Miss Perkins who captured a senator of dominating power and prevented his escape in a taxi to the station in time to restore him to his seat in the chamber—his vote on the floor bringing with him the votes he controlled. More than one refugee has been escorted back to his duties by women sentinels when legislation on which they were determined has been up for a vote. In such cases the woman's influence lies not in physical force, for she has never been seen to lay hands upon the recalcitrant legislator, but in the occasional subservience of the mind of man to the actual presence of a moral force.

Organized efforts, however, are ordinarily more effective than individual prowess, and women as well as men have learned this fact. Whoever will take the trouble to examine the files of *The American Club Woman*, the organ of the women's clubs of the United States, which records the doings of women's clubs all over the country, cannot fail to be impressed with the drift of women's activities in the direction of legislative action. Societies formed to study Browning or Shakespeare soon begin to be concerned about local improvements of one kind or another. They become interested, for example, in the inadequate recreational facilities of their town or city, and when they begin to act in the matter they usually find it necessary to secure positive legislation or at least appropriations, and thus they are led into bringing their influence to bear either upon the state legislature or the local council.

Every issue of *The American Club Woman* contains notices of such activities on the part of local clubs, and these are supplemented by reports of such local associations themselves. Take, for example, the 1913-14 *Year Book of the Woman's Club of York, Pennsylvania*. The Public Playgrounds Committee of that club announces that in addition to the funds raised by it privately, "the city appropriated \$150 to the work, with the result that through excellent management receipts are in comfortable excess over expenditures." The Social Service Committee of the same club states that "in the first

year of its existence, it has done important and effective work. It was largely responsible for the passage of an ordinance by city councils regulating dance halls."

Take, for another example, the 1912 *Year Book of the Woman's Municipal League of New York City*, selected at random from among a hundred reports of women's associations, and we find recorded on pages 14 to 18 a contest waged by that organization against a certain motion picture ordinance. The report runs:

The members of the Woman's Municipal League were requested to write to their aldermen, urging them to oppose the Folks ordinance. . . . The members heartily responded to this request and almost every alderman received communications on the subject. When the day set for voting upon the Folks ordinance arrived, its sponsors deemed the risk of its defeat too great to warrant them in bringing it to a vote.

Similar activities, both positive and negative, can be discovered in the records of practically every woman's association not organized for purely literary purposes. And even literary societies, as remarked above, are becoming socially minded.

These local clubs, as is well known, are federated into state and national associations, and an examination of the minutes of these larger federations shows that more and more organized women are seeing the importance of agreeing on certain measures of fundamental concern to women and society at large, and pressing them to a successful completion in the legislatures of their respective states. The files of the reports of the national assembly of women's clubs, to be found in any well equipped library, reveal the growing solidarity of women, their increasing concern about social and economic problems, and their increasing agreement on positive measures of legislative action.

In addition to these general clubs and societies, there are special women's organizations, such as the Women's Christian Temperance Union, the Council of Jewish Women, and the Women's Trade Union League. The first of these associations has stood for better protective laws for women and children as well as for measures directed against the liquor traffic. In their warfare upon liquor, women have discovered the relation of wages, overcrowding, long hours, and other economic factors to the consumption of alcoholic stimulants; and are considering preventive as well as prohibitory legislation. The second of these associations, while concerned pri-

marily with the safeguarding of Jewish immigrant women and girls, has been drawn more and more into the development of social and correctional legislation. The Women's Trade Union League, in addition to organizing wage working women, devotes special efforts to obtaining protective labor legislation, including an eight-hour day for women and woman suffrage.

It is safe to say, therefore, that in the progress of modern social legislation of all kinds—the extension of educational functions, pure food laws, mothers' pensions, development of recreational facilities, labor laws, particularly for women and children, and measures directed against prostitution—not a single important statute has been enacted without the active support of women, organized and unorganized. This much we may say without attempting to apportion to women the exact weight of their influence.

Important as has been that influence, there can be no doubt that in cases of serious labor legislation affecting large employing interests women's weight has been almost negligible in many instances. Indeed, one of the New York legislators, in a very friendly and confidential talk with the representatives of the Women's Trade Union League, told them that the 35,000 voteless women whom they represented naturally could not carry the same weight as thirty-five voting men. It was just such frank statements as this that turned Florence Kelley and many leading social workers, who sought legislation in their various fields, into ardent suffragists.

Other social workers, anxious to accomplish immediate results and unwilling to wait for universal suffrage, have discovered that one of the best ways to increase women's influence in legislation is to join associations which include men as well as women, even if they have to do all of the work. How far this is consciously done one cannot say, but it remains a fact that much of women's effective legislative work is done in connection with those organizations which draw no sex lines. The weight of women in such societies is evidenced by the number of important executive positions which they hold in local, state, and national organizations for the promotion of public health, education, recreation, housing reform, and the improvement of labor conditions.

In child labor organizations, hospital organizations seeking larger appropriations for social service, anti-tuberculosis work, labor legislation committees, the prevailing testimony, even from women,

is to the effect that "we consider our greatest strength in the fact that our work is done by the coöperation of men and women." Emily Bissell, president of the anti-tuberculosis society of Delaware, says for example:

All our work on tuberculosis has been done by women and men working together and while the women's clubs have done their part, the men, in their beneficial societies, labor unions, Catholic and Jewish associations, etc., have all had their part, and it will be difficult to disentangle their activities from ours. All this is as it should be, but it makes data more difficult than when restricted to either sex.

Women are more and more loath to accept all the credit for social legislation today and men seem actuated by the same spirit.

In response to hundreds of inquiries made within the past year to societies all over the country for information relative to the specific work of women, came a large proportion of replies to the following effect: "We fear we can give you no help as all our work is done through committees of men and women." The American Civic Association, the National Municipal League, the National Child Labor Committee, the American Public Health Association, the National Labor Legislation Committee, the National Housing Association, teaching and medical societies, make no sex distinctions now in their membership or official leadership. Scarcely a single society for social work or legislation today feels that it can go before the people without the names of Jane Addams, Lillian Wald, Florence Kelley, Julia Lathrop or other prominent women printed upon its letter heads. Their appreciation of the worth of these names is vague, yet positive.

With such evidence as we now have before us, we may say truly that women's influence on legislation has grown, is growing, and will grow. This is not very definite in itself, but it marks a long journey from woman's old spheres, the three Ks. And it is interesting to note that those women most actively using indirect influence are coming to prefer direct action on their own account.